

Environmental Protection Agency

§ 52.1172

provisions affecting air pollution control. The Air Pollution Control Commission was abolished and its authority was initially transferred to the Director of the Michigan Department of Natural Resources (DNR). Subsequently, the Michigan Department of Natural Resources of Environmental Quality (DEQ) was created by elevating eight program divisions and two program offices previously located within the DNR. The authority then earlier vested to the Director of the Michigan DNR was then transferred to the Director of the Michigan DEQ with the exception of some administrative appeals decisions.

(i) Incorporation by reference.

(A) State of Michigan Executive Order 1991-31 Commission of Natural Resources, Department of Natural Resources, Michigan Department of Natural Resources Executive Reorganization. Introductory and concluding words of issuance and Title I: General; Part A: Sections 1, 2, 4 and 5, Part B. Title III: Environmental Protection; Part A: Sections 1 and 2, Part B. Title IV: Miscellaneous; Parts A and B, Part C: Sections 1, 2, 4, Part D. Signed by John Engler, Governor, November 8, 1991. Filed with the Secretary of State November 8, 1991. Effective January 7, 1992.

(B) State of Michigan Executive Order No. 1995-18 Michigan Department of Environmental Quality, Michigan Department of Natural Resources Executive Reorganization. Introductory and concluding words of issuance.

Paragraphs 1, 2, 3(a) and (g), 4, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18. Signed by John Engler, Governor, July 31, 1995. Filed with the Secretary of State on August 1, 1995. Effective September 30, 1995.

(110) A revision to Michigan's State Implementation Plan (SIP), containing part of Michigan's Natural Resources and Environmental Protection Act, was submitted by the Michigan Department of Environmental Quality (MDEQ) on May 16, 1996, and supplemented on September 23, 1997. On December 30, 1997, MDEQ withdrew much of the original submittal. The revision incorporated below contains control requirements and applicable definitions for fugitive dust sources.

(i) Incorporation by reference. The following sections of Part 55 of Act 451 of 1994, the Natural Resources and Environmental Protection Act are incorporated by reference.

(A) 324.5524 Fugitive dust sources or emissions, effective March 30, 1995.

(B) 324.5525 Definitions, effective March 30, 1995.

[37 FR 10873, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1170, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1171 Classification of regions.

The Michigan plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Detroit-Port Huron Intrastate	I	I	III	III	III
Metropolitan Toledo Interstate	I	I	III	III	I
South Central Michigan Intrastate	II	II	III	III	III
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	I	IA	III	III	III
Central Michigan Intrastate	II	III	III	III	III
Upper Michigan Intrastate	III	III	III	III	III

[37 FR 10873, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 29801, May 6, 1980]

§ 52.1172 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Michigan's plan for the attainment and maintenance of the National Ambient

Air Quality Standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all requirements of Part D, Title I of the Clean Air Act as amended in

1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 29801, May 6, 1980]

§ 52.1173 Control strategy: Particulates.

(a) *Part D—Disapproval.* The following specific revisions to the Michigan Plan are disapproved:

(1) Rule 336.1331, Table 31, Item C: Emission limits for Open Hearth Furnaces, Basic Oxygen Furnaces, Electric Arc Furnaces, Sintering Plants, Blast Furnaces, Heating and Reheating Furnaces.

(2) Rules 336.1371 (Fugitive dust control programs other than areas listed in table 36.), 336.1372 (Fugitive dust control programs; required activities; typical control methods.) and 336.1373 (Fugitive dust control programs; areas listed in table 36.) for control of industrial fugitive particulate emissions sources.

(b) *Part D—Conditional Approval—*The Michigan overall Plan for primary and secondary nonattainment areas is approved provided that the following conditions are satisfied:

(1) The State officially adopts final industrial fugitive regulations that represent RACT for traditional sources and submits these finally effective regulations to USEPA by January 31, 1981.

(2) The State adopts and submits regulations reflecting RACT for Basic Oxygen Furnaces, Electric Arc Furnaces, Sintering Plants, Blast Furnaces and Heating and Reheating Furnaces.

(3) Rule 336.1331, Table 31, Item C: Coke Oven Preheater Equipment Effective After July 1, 1979—The State clarifies the compliance test method to include measurement of the whole train.

(4) Rule 336.1349—The State submits consent orders containing enforceable increments insuring reasonable further

progress for each source subject to Rules 336.1350 through 336.1357.

(5) Rule 336.1350—The State adopts and submits an acceptable inspection method for determining compliance with the rule.

(6) Rule 336.1352—The State adopts and submits the following clarifications to the rule: (a) The rule regulates emissions from the receiving car itself during the pushing operation; (b) in the phrase “eight consecutive trips,” “consecutive” is defined as “consecutively observed trips”; (c) the word “trips” is defined as “trips per battery” or “trips per system”; (d) the 40% opacity fugitive emissions limitation refers to an instantaneous reading and not an average; (e) the method of reading opacity is defined.

(7) Rule 336.1353—The State adopts and submits: (a) An acceptable test methodology for determining compliance with the rule; and (b) a clarification that the exception to the visible emission prohibition of 4% of standpipe emission points refers to “operating” ovens.

(8) Rule 336.1356—The State adopts and submits a clarification of the test methodology to determine compliance with the rule.

(9) Rule 336.1357—The State adopts and submits a clarification of the test methodology to determine compliance with the rule.

(10) The State adopts and submits a regulation reflecting RACT for coke battery combustion stacks.

(11) The State adopts and submits an acceptable test method for application of Rule 336.1331, Table 32 to quench towers, or, in the alternative, adopts and submits a limitation reflecting RACT for quench tower emissions based on the quantity of total dissolved solids in the quench water.

(12) The State adopts and submits rules requiring RACT for scarfing emissions.

(13) *Part 10 Testing—*The State adopts and submits the following clarifications to the test methods: (a) Testing of fugitive emissions from blast furnaces are conducted during the cast; (b) the starting and ending period is specified for basic oxygen furnaces (for both primary and secondary emissions generating operations), electric arc